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## **Alberta proposals for the reform of anti-dumping rules**

**Edmonton ...** Trade remedies (i.e., countervail and anti-dumping) are a crucial part of the current round of World Trade Organization (WTO) negotiations.

The Alberta government believes that it is essential that these negotiations consider the effect trade remedies have on international competitiveness and the economic changes brought about by globalization. Because one of the goals of trade policy should be to liberalize trade by reforming anti-dumping and countervail rules, the Alberta government believes current trade remedy systems are deeply flawed. It is our position that Canada's trade policies must be focused on the future, and provide producers and consumers with the necessary tools to adapt and prosper in a rapidly-changing world. This cannot happen if trade rules interfere with the efforts of producers and consumers to respond to market signals, and interfere with normal competitive activity.

In 2000, based on Alberta's experiences in agricultural trade cases, the province considered what changes could be made to make antidumping rules fairer in the agricultural sector, particularly for cyclical industries. The Alberta discussion paper, developed in consultation with the law firm of Arnold & Porter of Washington, D.C., counsel for the Government of Alberta, can be found at:  
[http://www.iir.gov.ab.ca/trade\\_policy/pdfs/2.4f.12b-AgProducts\\_Antidumping\\_Sept00.pdf](http://www.iir.gov.ab.ca/trade_policy/pdfs/2.4f.12b-AgProducts_Antidumping_Sept00.pdf).

In 2002, working again with Arnold & Porter, Alberta developed additional proposals covering both the WTO Subsidies and Antidumping Agreements. These proposals cover a range of options from policy changes to specific changes in the application of countervailing and antidumping measures. That paper can be found at:  
[http://www.iir.gov.ab.ca/trade\\_policy/pdfs/WTO\\_subsidies\\_antidumping\\_proposals\\_Oct02.pdf](http://www.iir.gov.ab.ca/trade_policy/pdfs/WTO_subsidies_antidumping_proposals_Oct02.pdf).

The current paper returns to the theme of anti-dumping rules and agriculture, first raised in 2000. That paper noted the pernicious impact of the "below-cost" test for cyclical agricultural products caught up in anti-dumping investigations. In cooperation with Arnold & Porter, we explore this issue further and offer several suggestions for reform. While our ultimate objective is to see fundamental reforms to trade remedy regimes, making them consistent with the principle of "national treatment", the unique characteristics of agriculture present opportunities for more immediate changes.

The 2005 Alberta discussion paper is available at:

[http://www.iir.gov.ab.ca/trade\\_policy/documents/Below-Cost\\_Test\\_in\\_Agric\\_AD\\_Cases-Apr05.pdf](http://www.iir.gov.ab.ca/trade_policy/documents/Below-Cost_Test_in_Agric_AD_Cases-Apr05.pdf).

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